

01/22/02

JC541 U.S. PTO

01-24-02

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PTO/SB/05 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.

EMC2-078AUS

First Inventor

John K. Walton

Title

DATA STORAGE SYSTEMS

Express Mail Label No.

ET806886545US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)2. ☐ Applicant claims small entity status.
See 37 CFR 1.27.3. ☒ Specification [Total Pages 17]
(preferred arrangement set forth below)
- Descriptive title of the invention
- Cross Reference to Related Applications
- Statement Regarding Fed sponsored R & D
- Reference to sequence listing, a table,
or a computer program listing appendix
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings (if filed)
- Detailed Description
- Claim(s)
- Abstract of the Disclosure4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 8]

5. Oath or Declaration [Total Pages 3]

a. ☐ Newly executed (original or copy)b. ☒ Copy from a prior application (37 CFR 1.63 (d))
(for continuation/divisional with Box 18 completed)i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s)
named in the prior application, see 37 CFR
1.63(d)(2) and 1.33(b).6. ☐ Application Data Sheet. See 37 CFR 1.76**ADDRESS TO:**Assistant Commissioner for Patents
Box Patent Application
Washington, DC 202317. ☐ CD-ROM or CD-R in duplicate, large table or
Computer Program (Appendix)8. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)a. ☐ Computer Readable Form (CRF)

b. Specification Sequence Listing on:

i. ☐ CD-ROM or CD-R (2 copies); orii. ☐ paperc. ☐ Statements verifying identity of above copies**ACCOMPANYING APPLICATION PARTS**9. ☐ Assignment Papers (cover sheet & document(s))10. ☐ 37 CFR 3.73(b) Statement [Power of
(when there is an assignee) Attorney]11. ☐ English Translation Document (if applicable)12. ☐ Information Disclosure [Copies of IDS
Statement (IDS)/PTO-1449 Citations]13. ☐ Preliminary Amendment14. ☐ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)16. ☐ Request and Certification under 35 U.S.C. 122
(b)(2)(B)(i). Applicant must attach form PTO/SB/35
or its equivalent. Return Post Card/Patent App Page17. ☒ Other: Preliminary Amn/Petition to Correct Inventorship18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment,
or in an Application Data Sheet under 37 CFR 1.76:☐ Continuation☒ Divisional☐ Continuation-in-part (CIP)

of prior application No.: 09, 223,519

Prior application information:

Examiner

A. Elamin

Group Art Unit:

2182

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under
Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference.
The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.**19. CORRESPONDENCE ADDRESS**☒ Customer Number or Bar Code Label

022494

(Insert Customer No. or Attach bar code label here)

or

☐

Correspondence address below

Name

Richard M. Sharkansky

Address

Daly, Crowley & Mofford, LLP
275 Turnpike Street, Suite 101

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Canton

State

MA

Zip Code

02021-2310

Country

US

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781.401.9988 ext. 23

Fax

781-401-9966

Name (Print/Type)

Richard M. Sharkansky

Registration No. (Attorney/Agent)

25,800

Signature

Date

January 22, 2002

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on
the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC
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Washington, DC 20231.

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**FEE TRANSMITTAL
for FY 2002**

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$) 1,466**Complete if Known**

Application Number	Not Yet Assigned
Filing Date	Herewith
First Named Inventor	John K. Walton
Examiner Name	Not Yet Assigned
Group Art Unit	Not Yet Assigned
Attorney Docket No.	EMC2-078AUS

METHOD OF PAYMENT

- 1.
- ☐
- The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit
Account
Number

50-0845

Deposit
Account
Name

Daly, Crowley & Mofford, LLP

- ☒
- Charge Any Additional Fee Required
-
- Under 37 CFR 1.16 and 1.17

- ☐
- Applicant claims small entity status.
-
- See 37 CFR 1.27

- 2.
- ☒
- Payment Enclosed:

- ☒
- Check
- ☐
- Credit card
- ☐
- Money
-
- Order
- ☐
- Other

FEE CALCULATION**1. BASIC FILING FEE**

Large Entity Small Entity

Fee Fee Fee Fee Fee Description

Code (\$)	Code (\$)	Code (\$)	Code (\$)	Code (\$)	Fee Description	Fee Paid
101	740	201	370		Utility filing fee	740
106	330	206	165		Design filing fee	
107	510	207	255		Plant filing fee	
108	740	208	370		Reissue filing fee	
114	160	214	80		Provisional filing fee	

SUBTOTAL (1) (\$) 740**2. EXTRA CLAIM FEES**

Total Claims	37	-20** =	17	X	Fee from below	18	=	Fee Paid	306
Independent Claims	8	-3** =	5	X	Fee from below	84	=	Fee Paid	420
Multiple Dependent									

Large Entity Small Entity

Fee Fee Fee Fee Fee Description

Code (\$)	Code (\$)	Code (\$)	Code (\$)	Code (\$)	Fee Description	Fee Paid
103	18	203	9		Claims in excess of 20	
102	84	202	42		Independent claims in excess of 3	
104	280	204	140		Multiple dependent claim, if not paid	
109	84	209	42		** Reissue independent claims over original patent	
110	18	210	9		** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$) 726

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		0
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
Other fee (specify)					

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 0**SUBMITTED BY**

Name (Print/Type)

Richard M. Sharkansky

Registration No.
(Attorney/Agent)

25,800

Complete (if applicable)

Telephone

781.401.9988 ext. 23

Signature

Date

1/22/02

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : John K. Walton et al.
Serial No.: 09/223,519
Filed : December 30, 1998
Title : DATA STORAGE SYSTEM

Art Unit: 2761
Examiner: Not Assigned

Assistant Commissioner for Patents
Washington, DC 20231

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10/054241
01/22/02

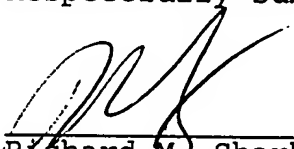
TRANSMITTAL LETTER

Submitted herewith is a *Petition to Correct Inventorship* under §1.48(a), consented to by the Assignee as indicated by the *Officer Declaration*, and a check for \$130.00 in payment of the fee required under 37 C.F.R. 1.17(h). Also, filed herewith is a *Combined Declaration and Power of Attorney*, signed by the proper inventors.

Please charge any additional fees or make any credits to Deposit Account 06-1050.

Respectfully submitted,

Date: 3/10/99


Richard M. Sharkansky
Reg. No. 25,800

Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110-2804

Telephone: 617/542-5070
Facsimile: 617/542-8906
354885.B11

Date of Deposit March 10, 1999
I hereby certify under 37 CFR 1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Cheryl L. McGrath

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : John K. Walton et al.
Serial No.: 09/223,519
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Art Unit: 2761
Examiner: Not Assigned

Assistant Commissioner for Patents
Washington, DC 20231

jc857 U.S. PTO
10/054241
01/22/02

PETITION TO CORRECT INVENTORSHIP

Kendell Alan Chilton hereby declares that he is an original joint inventor of the above-captioned patent application and that through error, without any deceptive intention on his part or that of any other inventor, the above-captioned application was filed naming only John K. Walton and Daniel Castel as joint inventors, rather than John K. Walton, Daniel Castel and Kendell Alan Chilton as joint inventors.

The undersigned hereby declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: _____

16 FEB 1999



Kendell Alan Chilton

Date of Deposit

March 10, 1999

I hereby certify under 37 CFR 1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Theresa Mazzanti 2/6/99

Cheryl L. McGrath

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : John K. Walton et al.
Serial No.: 09/223,519
Filed : December 30, 1998
Title : DATA STORAGE SYSTEM

Art Unit: 2761
Examiner: Not Assigned

Assistant Commissioner for Patents
Washington, DC 20231



OFFICER DECLARATION

As an officer of the concern to which the above captioned application has been assigned, I hereby consent to the correction of inventorship of this application from the naming of John K. Walton and Daniel Castel as joint inventors to the naming of John K. Walton, Daniel Castel and Kendell Alan Chilton as joint inventors.

Date: 2.17.99

Signature: 

Typed Name: Paul T. Dacier

Title: Vice President & General Counsel

EMC Corporation
171 South Street
Hopkinton, MA 01748-9103

Date of Deposit March 10, 1999
I hereby certify under 37 CFR 1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

